

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Toney Bernette Weary,

Chapter 13
Case No. 13-35300-KLP

Debtor.

BRUCE G. SCHULTZ, Administrator of
the Estate of **BRIAN BRUCE SCHULTZ**,
Deceased,

Creditor,
Movant,

v.

§

AP: _____

TONEY BERNETTE WEARY,

Debtor, §
Respondent.

CARL M. BATES,

Trustee.

CONSENT ORDER GRANTING RELIEF FROM STAY

Upon consideration of the motion of Bruce G. Schultz, Administrator of the Estate of Brian Bruce Schultz, deceased (the "Creditor"), by counsel; it is

ORDERED that the automatic stay imposed by 11 U.S.C. §362 is modified to permit movant to pursue and settle the state court wrongful death action currently pending against the debtor in the Circuit Court of Chesterfield County, case number CL12-631, for the sole purpose of recovering insurance proceeds from the liability insurance coverage of the debtor and underinsured insurance coverage of the decedent, Brian Bruce Schultz.

DONE at Richmond, Virginia, this _____ day of December 2013.

Dec 17 2013

/s/ Keith L. Phillips

United States Bankruptcy Judge

I ASK FOR THIS:

/s/ Paul McCourt Curley
Paul McCourt Curley, Esquire VSB No. 43974
ALLEN ALLEN ALLEN & ALLEN
3504 Plank Road
Fredericksburg, Virginia 22407
Telephone: 804.786.4100
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E-Mail: paul.curley@allenandallen.com
***Counsel for Bruce G. Schultz, Administrator
of the Estate of Brian Bruce Schultz, deceased***

SEEN AND AGREED:

/s/ Jessica L. Fellows
Jessica L. Fellows, Esquire
America Law Group, Inc.
2312 Boulevard
Colonial Heights, Virginia 23834
Telephone: 804.520.2428
E-Mail: fellows.jlCH@gmail.com
Counsel for the Debtor

/s/ Carl M. Bates
Carl M. Bates, Esquire
Chapter 13 Trustee
Susan Hope Call, Esquire
P.O. Box 1819
Richmond, Virginia 23218-1819
Telephone: 804.237.6800
Telecopier: 804.237.6801

CERTIFICATION OF ENDORSEMENT

I, Paul McCourt Curley, hereby certify that all the necessary parties, namely, Jessica L. Fellows, counsel for the Debtor, and Carl M. Bates, Chapter 13 Trustee, have seen, agreed to, and endorsed the above proposed order.

/s/ Paul McCourt Curley

CERTIFICATION

The undersigned certifies that the foregoing Order Granting Relief from Stay is identical to the form order required by Administrative Order 10-2 and that no modifications, additions, or

deletions have been made.

/s/ Paul McCourt Curley

LIST OF PARTIES TO RECEIVE COPY OF ENTERED ORDER

Carl M. Bates, Esquire
Chapter 13 Trustee
P.O. Box 1819
Richmond, Virginia 23218-1819

Toney Bernette Weary
20402 Hickory Branch Drive
Petersburg, Virginia 23803

Jessica L. Fellows, Esquire
America Law Group, Inc.
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Colonial Heights, Virginia 23834

Paul McCourt Curley, Esquire
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